

General Docket
United States Court of Appeals for District of Columbia Circuit

Court of Appeals Docket #: 17-5143

Docketed: 06/20/2017
Termed: 03/14/2019

Nature of Suit: 2895 Freedom of Information Act of 1974

Carlos Patino-Restrepo v. DOJ, et al

Appeal From: United States District Court for the District of Columbia

Fee Status: Fee Paid

Case Type Information:

- 1) Prisoner US
- 2) Federal
- 3)

Originating Court Information:

District: 0090-1 : [1:14-cv-01866-TSC](#)

Lead: [1:14-cv-01866-TSC](#)

Trial Judge: Tanya S. Chutkan, U.S. District Judge

Date Filed: 11/03/2014

Date Order/Judgment:

03/30/2017

Date NOA Filed:

06/12/2017

Prior Cases:

None

Current Cases:

None

Panel Assignment: Not available

Carlos Arturo Patino-Restrepo (Federal Prisoner: 64782-053)
Plaintiff - Appellant

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PO Box 700

Minersville, PA 17954-0000

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[NTC -]
Federal Correctional Institution
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v.

United States Department of Justice
Defendant - Appellee

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Carlos Arturo Patino-Restrepo,











Plaintiff - Appellant















v.

United States Department of Justice; Federal Bureau of Prisons; Executive Office for United States Attorneys; United States Department of State; Immigration and Customs Enforcement,


Defendants - Appellees


06/20/2017		US PRISONER CASE docketed. [17-5143] [Entered: 06/20/2017 11:27 AM]
06/20/2017	 31 pg, 415.42 KB	NOTICE OF APPEAL [1680368] seeking review of a decision by the U.S. District Court in 1:14-cv-01866-TSC filed by Carlos Arturo Patino-Restrepo. Appeal assigned USCA Case Number: 17-5143. [17-5143] [Entered: 06/20/2017 11:31 AM]
06/26/2017	 5 pg, 101.97 KB	CLERK'S ORDER [1681361] filed to show cause regarding dismissing case for lack of jurisdiction. Response to Order due 07/26/2017. The response may not exceed the length limitations established in the order. Failure to respond shall result in dismissal of the case for lack of prosecution. The Clerk is directed to send this order to appellant by whatever means necessary to ensure receipt. [17-5143] [Entered: 06/26/2017 04:44 PM]
06/26/2017	 5 pg, 174.6 KB	CLERK'S ORDER [1681372] filed directing party to file motion to proceed on appeal in forma pauperis or payment of docketing fee due 07/26/2017. Directing party to file ifp prisoner submissions: APPELLANT prisoner trust account report due 07/26/2017. APPELLANT consent to collection form due 07/26/2017. Failure to respond shall result in dismissal of the case for lack of prosecution. The Clerk is directed to send this order to appellant by whatever means necessary to ensure receipt. [17-5143] [Entered: 06/26/2017 05:33 PM]
06/26/2017	 1 pg, 45.8 KB	LETTER [1681376] sent to warden sending Clerk order ifp motion or docket fee [1681372-2], sending Clerk order to dismiss case for lack of jurisdiction [1681361-2]. Prisoner acknowledgment of receipt from Warden due 07/26/2017. [17-5143] [Entered: 06/26/2017 05:42 PM]
07/14/2017	 5 pg, 298.2 KB	RESPONSE [1684349] to order [1681361-2] filed by Carlos Arturo Patino-Restrepo (Service Date: 07/17/2017 by CM/ECF NDA, Clerk) Length Certification: 3 Pages. [17-5143] [Entered: 07/17/2017 10:22 AM]
07/24/2017	 2 pg, 77.28 KB	MOTION [1685843] to extend time to pay appellate docketing fee (Response to Motion served by mail due on 08/07/2017) filed by Carlos Arturo Patino-Restrepo (Service Date: 07/26/2017 by CM/ECF NDA, Clerk) Length Certification: 2 Pages. [17-5143] [Entered: 07/26/2017 10:39 AM]
07/31/2017	 1 pg, 130.83 KB	RECEIPT [1686882] received from Carlos Patino [signed for on 07/04/2017] for documents [1681376-2] sent to Appellant Carlos Arturo Patino-Restrepo [17-5143] [Entered: 08/02/2017 10:14 AM]
08/03/2017	 1 pg, 40.49 KB	CLERK'S ORDER [1687193] filed granting motion to extend time [1685843-2]; extending Clerk order ifp motion or docket fee [1681372-2] and ifp prisoner submission [1681372-3] APPELLANT ifp motion or docket fee, consent to collection form, prisoner trust account report now due 09/05/2017, Failure to respond shall result in dismissal of the case for lack of prosecution [17-5143] [Entered: 08/03/2017 02:08 PM]
10/02/2017	 1 pg, 38.55 KB	LETTER [1697087] regarding case status filed by Carlos Arturo Patino-Restrepo [Service Date: 10/05/2017] [17-5143] [Entered: 10/05/2017 10:20 AM]
11/01/2017	 1 pg, 39.66 KB	CLERK'S ORDER [1702483] filed resending the Clerk order dated filed August 3, 2017, and that the deadlines established therein are extended to 12/01/2017. Failure to respond shall result in dismissal of the case for lack of prosecution. The Clerk is directed to send this order to appellant by whatever means necessary to ensure receipt. [17-5143] [Entered: 11/01/2017 12:11 PM]
11/01/2017	 1 pg, 39.66 KB	LETTER [1702486] sent to warden sending Clerk order order by warden letter [1702483-3]. Prisoner acknowledgment of receipt from Warden due 12/01/2017. [17-5143] [Entered: 11/01/2017 12:21 PM]

11/27/2017	 5 pg, 689.32 KB	LETTER [1706762] filed by Carlos Arturo Patino-Restrepo [Service Date: 11/30/2017] [17-5143] [Entered: 11/30/2017 11:35 AM]
12/01/2017	 9 pg, 186.22 KB	NOTICE [1707054] received from the Clerk of the U.S. District Court for payment of docketing fee [Case Number 17-5143: Fee Paid] [17-5143] [Entered: 12/01/2017 01:19 PM]
02/09/2018	 1 pg, 41.33 KB	PER CURIAM ORDER [1717246] discharging order to show cause [1681361-5]; remanding record for the district court to determine whether appellant's response to the order to show cause, together with his notice of appeal, should be treated as a motion for extension of time to appeal under Federal Rule of Appellate Procedure 4(a)(5) or a motion to reopen the time to file an appeal under Federal Rule of Appellate Procedure 4(a)(6) and, if so, whether the motion should be granted. It is FURTHER ORDERED that the appeal be held in abeyance pending further order of the court. The Clerk is directed to transmit to the district court a copy of this order and a copy of appellant's response to the order to show cause. The district court is requested to notify this court promptly upon making the required determinations. Before Judges: Pillard, Wilkins and Ginsburg. [17-5143] [Entered: 02/09/2018 10:26 AM]
02/09/2018		COPY [1717251] of order [1717246-5] and appellant's response [1684349-2] sent to District Court, per above order. [17-5143] [Entered: 02/09/2018 10:37 AM]
10/02/2018	 9 pg, 175.71 KB	NOTICE [1753531] received from the Clerk of the U.S. District Court to supplement record granting motion to reopen appeal time [17-5143] [Entered: 10/02/2018 04:38 PM]
10/02/2018	 2 pg, 46.39 KB	CLERK'S ORDER [1753532] filed removing case from abeyance; directing party to file initial submissions: APPELLANT docketing statement due 11/01/2018. APPELLANT certificate as to parties due 11/01/2018. APPELLANT statement of issues due 11/01/2018. APPELLANT underlying decision due 11/01/2018. APPELLANT deferred appendix statement due 11/01/2018. APPELLANT notice of appearance due 11/01/2018. APPELLANT transcript status report due 11/01/2018. APPELLANT procedural motions due 11/01/2018. APPELLANT dispositive motions due 11/16/2018; directing party to file initial submissions: APPELLEE certificate as to parties due 11/01/2018. APPELLEE entry of appearance due 11/01/2018. APPELLEE procedural motions due 11/01/2018. APPELLEE dispositive motions due 11/16/2018, Failure to respond shall result in dismissal of the case for lack of prosecution. The Clerk is directed to send this order to appellant by whatever means necessary to ensure receipt. [17-5143] [Entered: 10/02/2018 04:41 PM]
10/02/2018	 1 pg, 45.96 KB	LETTER [1753536] sent to warden sending Clerk order initial submissions for appellant/petitioner [1753532-3]. Prisoner acknowledgment of receipt from Warden due 11/01/2018. [17-5143] [Entered: 10/02/2018 04:48 PM]
10/23/2018	 15 pg, 217.68 KB	NOTICE [1756541] received from the Clerk of the U.S. District Court to supplement record Memorandum & Opinion [17-5143] [Entered: 10/23/2018 09:49 AM]
10/29/2018	 2 pg, 55.3 KB	CERTIFICATE AS TO PARTIES, RULINGS AND RELATED CASES [1758163] filed by Carlos Arturo Patino-Restrepo [Service Date: 10/25/2018] [17-5143] [Entered: 11/01/2018 10:48 AM]
10/29/2018	 1 pg, 71.48 KB	DOCKETING STATEMENT [1758164] filed by Carlos Arturo Patino-Restrepo [Service Date: 10/25/2018] [17-5143] [Entered: 11/01/2018 10:49 AM]
10/29/2018	 1 pg, 64.45 KB	ENTRY OF APPEARANCE [1758166] filed by Carlos Arturo Patino-Restrepo. [17-5143] [Entered: 11/01/2018 10:50 AM]

10/29/2018	 1 pg, 49.82 KB	STATEMENT OF ISSUES [1758167] filed by Carlos Arturo Patino-Restrepo [Service Date: 10/25/2018] [17-5143] [Entered: 11/01/2018 10:51 AM]
10/29/2018	 7 pg, 699.23 KB	UNDERLYING DECISION IN CASE [1758169] submitted by Carlos Arturo Patino-Restrepo [Service Date: 10/25/2018] [17-5143] [Entered: 11/01/2018 10:52 AM]
10/29/2018	 1 pg, 88.09 KB	TRANSCRIPT STATUS REPORT [1758170] filed by Carlos Arturo Patino-Restrepo [Service Date: 10/25/2018]. Status of Transcripts: Final - No transcripts are needed for the appeal. [17-5143] [Entered: 11/01/2018 10:53 AM]
11/01/2018	 1 pg, 14.09 KB	ENTRY OF APPEARANCE [1758217] filed by Joshua Kolsky and co-counsel R. Craig Lawrence on behalf of Appellees BOP, DOJ, DOS, EOUSA and Immigration and Customs Enforcement. [17-5143] (Kolsky, Joshua) [Entered: 11/01/2018 12:39 PM]
11/01/2018	 3 pg, 17.6 KB	CERTIFICATE AS TO PARTIES, RULINGS AND RELATED CASES [1758218] filed by BOP, DOJ, DOS, EOUSA and Immigration and Customs Enforcement [Service Date: 11/01/2018] [17-5143] (Kolsky, Joshua) [Entered: 11/01/2018 12:40 PM]
11/09/2018	 3 pg, 16.88 KB	MOTION [1759434] to extend time to file motion to 12/07/2018 filed by BOP, DOJ, DOS, EOUSA and Immigration and Customs Enforcement (Service Date: 11/09/2018 by US Mail) Length Certification: 202 words. [17-5143] (Kolsky, Joshua) [Entered: 11/09/2018 02:58 PM]
11/14/2018	 18 pg, 1.1 MB	MOTION [1760332] for summary reversal (Response to Motion served by mail due on 11/26/2018) filed by Carlos Arturo Patino-Restrepo (Service Date: 11/08/2018 by US Mail) Length Certification: 18 pages. [17-5143] [Entered: 11/16/2018 02:36 PM]
11/16/2018	 1 pg, 39.17 KB	CLERK'S ORDER [1760338] filed granting motion to extend time [1759434-2] ; APPELLEE dispositive motions due 12/07/2018, directing response to motion for summary reversal [1760332-2] Response due on 12/07/2018 [17-5143] [Entered: 11/16/2018 02:50 PM]
12/07/2018	 21 pg, 76.02 KB	RESPONSE IN OPPOSITION [1763397] to motion [1760332-2] combined with a MOTION for summary affirmance filed by BOP, DOJ, DOS, EOUSA and Immigration and Customs Enforcement [Service Date: 12/07/2018 by US Mail] Length Certification: 4,150 words. [17-5143] (Kolsky, Joshua) [Entered: 12/07/2018 04:12 PM]
12/10/2018	 2 pg, 15.42 KB	NOTICE [1763639] to substitute attorney Joshua M. Kolsky substituted by Paul Cirino filed by Immigration and Customs Enforcement, DOS, DOJ and BOP [Service Date: 12/10/2018] [17-5143] (Cirino, Paul) [Entered: 12/10/2018 04:44 PM]
12/13/2018	 25 pg, 513.95 KB	SUPPLEMENT [1764050] to motion for summary affirmance [1763397-2] , response [1763397-3] filed by BOP, DOJ, DOS, EOUSA and Immigration and Customs Enforcement [Service Date: 12/13/2018] [17-5143] (Cirino, Paul) [Entered: 12/13/2018 11:04 AM]
01/09/2019	 1 pg, 40.92 KB	CLERK'S ORDER [1767632] filed to show cause regarding motion for summary affirmance [1763397-2] . Response to Order due 02/08/2019. The response may not exceed the length limitations established in the order. The Clerk is directed to send this order to appellant by whatever means necessary to ensure receipt. [17-5143] [Entered: 01/09/2019 01:10 PM]
01/09/2019	 1 pg, 46.03 KB	LETTER [1767634] sent to warden sending Clerk order [1767632-3] . Prisoner acknowledgment of receipt from Warden due 02/08/2019. [17-5143] [Entered: 01/09/2019 01:16 PM]
02/04/2019		RESPONSE [1772633] to order [1767632-3] filed by Carlos Arturo Patino-Restrepo (Service Date: 01/22/2019 by US Mail) Length Certification: 2 pages. [17-5143] [Entered: 02/08/2019

019 3 pg, 136.53 KB 04:18 PM]

02/11/2019  6 pg, 43.86 KB
REPLY [1772779] filed by BOP, DOJ, DOS, EOUSA and Immigration and Customs Enforcement to response [\[1772633-2\]](#) [Service Date: 02/11/2019 by US Mail] Length Certification: 735 words. [17-5143] (Cirino, Paul) [Entered: 02/11/2019 02:41 PM]

03/14/2019  3 pg, 50.82 KB
PER CURIAM ORDER [1777527] filed ORDERED that the order to show cause be discharged. It is FURTHER ORDERED that the motion for summary affirmance be granted and the motion for summary reversal be denied. Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. Before Judges: Rogers, Griffith and Katsas. [17-5143] [Entered: 03/14/2019 10:08 AM]
